

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69-cv-07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

Subfile No. CHRB-004-0014

MOTION TO VACATE CONSENT ORDER

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and moves the Court to vacate the Consent Order filed May 15, 2003 (Doc. 7151) in connection with defendant Anthony R. Martinez and subfile CHRB-004-0014 and as grounds therefore Plaintiff states as follows:

1. Defendant Anthony R. Martinez signed and approved a Consent Order in subfile CHRB-004-0014 that was filed with the Court on May 15, 2003. The State has corrected errors in the boundaries and irrigated acreage of the land under this subfile, and defendant Romero has signed and approved a corrected proposed Consent Order in this subfile to be filed with the Court.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to vacate the Consent Order filed May 15, 2003 (Doc. 7151) in subfile CHRB-004-0014.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 19th day of January, 2009 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF Participant in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Anthony R. Martinez
P.O. Box 43
Tierra Amarilla, NM 87575

/s/ Ed Newville
Edward G. Newville